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April 12, 2019

**VIA ECF**

Honorable David T. Schultz  
United States District Court  
9E U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

**Re: *Fair Isaac Corp. v. Federal Insurance Co. et al.*,  
No. 16-cv-01054-WMW-DTS (D. Minn. filed April 21, 2016)**

Dear Judge Schultz:

Plaintiff Fair Isaac Corporation ("FICO") seeks the Court's assistance to compel a full response to FICO's Request for Production Nos. 89-90. FICO served these requests on December 28, 2018. RFP Nos. 89-90 sought data about Defendants' Federal Insurance Co. and ACE American Insurance Co. ("Federal") applications that utilize Blaze Advisor® software. On January 28, 2019, Federal responded and agreed to produce responsive documents:

**REQUEST NO. 89:** Specific to each application that uses or used Blaze Advisor® software, documents sufficient to show (a) the number of business rules in each application; (b) the type of business rules in each application, including, without limitation, underwriting, pricing, claims, renewal processing, and workflow, and (c)

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the number of daily and monthly batch and real-time business rule transactions for each application.

**RESPONSE:** Defendants object to this request as unduly burdensome and not proportional to the needs of the case. Subject to and without waving these objections, or the general objections above, Defendants state that they will produce non-privileged, responsive documents that are kept in the ordinary course of business at a mutually acceptable time agreed by the parties.

**REQUEST NO. 90:** Specific to each application that uses or used Blaze Advisor® software, all documents relating to the business rules of each application.

**RESPONSE:** Defendants object to this request as overbroad, unduly burdensome, and not proportional to the needs of the case because it seeks “all” documents and is unlimited in time. Subject to and without waving these objections, or the general objections above, Defendants state they will produce non-privileged, responsive documents that are kept in the ordinary course of business at a mutually acceptable time agreed by the parties.

Federal produced a spreadsheet in response to RFP 89-90 (Exhibit A, filed under seal), but that spreadsheet is missing data regarding two applications: CIS Claims and Adapt in Australia. FICO asked Federal to supplement this document to include CIS Claims and Adapt in Australia on March 6. (Exhibit B.) Federal responded on March 12 and promised to supplement. (Exhibit C.) FICO requested supplementation again on April 5 and April 11. (Exhibits D and E.) Federal has not responded to these emails or supplemented its production.

FICO needs this information for expert reports that are due April 19. FICO requests the Court order production of the data requested in RFP 89-90 for the applications CIS Claims and Adapt in Australia.

Respectfully,



Heather J. Kliebenstein

cc: All Counsel of Record (via ECF)